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Information Law Gets Passing Grade

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A Congressional report said yesterday that the Federal freedom of information law has worked reasonably well in its first year but declared that in a number of instances, "arrogant public information policies still endure."

The law, which took effect on July 4, 1967, in general requires Federal agencies to make available all domestic government records upon request. There are nine exceptions, centered mainly on national defense and foreign policy security areas.

A staff report by the House Government Operations Committee commented on the first year of the law's operation:

"Journalists, considered among the chief beneficiaries of the law, report bureaucratic

barriers to information are noticeably being lifted."

However, the House investigators charged that some agencies were balking at compliance and particularly singled out the Federal Trade Commission.

The FTC, the report asserted, "flouts the law" by requiring applicants to file their requests for information in writing and "under oath." The agency also demands that reason must be given for wanting the information.

The House investigators said: "The FTC obviously fails to recognize that the act specifically provides that persons requesting information not falling under any of the law's nine categories of exemption is deemed public information and is to be released without qualification."

The report also noted that,

while Washington headquarters of Federal agencies have complied with the law, in some instances, field offices have "not gotten the word" and violate the full intent of the legislation.

Another practice condemned in the report was the demand of some officials that applicants give the specific number of the document requested.

"Given the complexity of Federal bureaucracy and the foundation of file cabinets on which it is built, a petty demand for detailed identification of documents becomes a weapon of secrecy," the report said.

But of the general trend, the House investigators said: "The frustrations that formerly blocked many attempts to get access now can be sued

by the requestor's having his day in court, where the legality of withholding can be determined."

In the first year of the law, 31 cases were filed in Federal District Courts to get blocked information.

The law provides that information can be withheld if it is related solely to personnel rules and practices, if disclosure is prohibited specifically by law or if information divulges trade secrets or confidential financial information. Also exempted are some interagency memorandums, personal privacy, some investigatory files for law enforcement purposes, some information regarding regulation and supervision of financial institutions and some geological data and maps.